

REMARKS

Claims 1-5, 7-8, 10-13, 15-16 and 18 are pending in this application. By this Amendment, claims 2-5, 10-13 and 18 are amended. Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

Applicant thanks Examiner Lockett for the courtesies extended to Applicant's representative during the September 22, 2006 personal interview, and in subsequent telephone conferences. The substance of the interview is incorporated in the following remarks.

By this Amendment, to expedite prosecution, the term "stretchable material" has been changed to "stretchable synthetic material" throughout the claims to further distinguish from the leather disclosed by the Hearfield reference.

I. The Claims Comply With The Requirements Of 35 U.S.C. §112, First Paragraph

The Office Action rejects claims 1-5, 7, 8, 10-13, 15, 16 and 18 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. As agreed during the interview, the claims comply with the requirements of 35 U.S.C. §112, first paragraph, because it is clear from the claims and the original application how the cover is "between the stringed instrument body and a string of the stringed instrument," and at least one way of attaching to the instrument body without requiring removal of hardware (hardware does not include the strings, as discussed during the interview) is clear from the original application.

II. The Claims Define Patentable Subject Matter

A. The Office Action rejects claims 1, 7, 10 and 15 under 35 U.S.C. §102(b) over U.S. Patent No. 4,177,847 to Spindler. This rejection is respectfully traversed.

As agreed during the interview, Spindler does not disclose a cover that is between the stringed instrument body and a string of the instrument body. For at least this reason, independent claims 1 and 10 are patentably distinct from Spindler. Claims 7 and 15 are allowable at least for their dependence on an allowable base claim.

B. The Office Action rejects claims 2 and 18 under 35 U.S.C. §103(a) over Spindler in view of U.S. Patent No. 6,410,614 to Hearfield. This rejection is respectfully traversed.

As discussed with the Examiner during an October 4 telephone conference, the applied prior art does not disclose a stretchable synthetic material in the context claimed by Applicant. For at least this reason, as agreed, all claims that recite "stretchable synthetic material" are patentably distinct from the applied prior art.

C. The remaining claims are rejected over Spindler in view of Hearfield and/or various other references. However, these claims are allowable at least for their dependence on an allowable base claim.

III. Conclusion

In view of the foregoing, it is respectfully requested that the rejections be withdrawn. It is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:JAN/hs

Attachment:

Petition for Extension of Time

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